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4-3-03



Attorney Docket No.: 01.38

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :Mammone et al..

Serial No.: 09/925,333

Group Art Unit: 1623

Filed: August 9, 2001

Examiner: E. White

For: METHOD FOR SKIN EXFOLIATION

AMENDMENT UNDER 37 CFR 1.115

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the office action dated October 1, 2002, please enter the following amendment

REMARKS**I. Rejections under 35 USC §103(a)**

Claims 1, 2 and 5 have been rejected under 35 USC §103(a) as being unpatentable over Denis et al., US Patent No. 5,286,629. The rejection is stated as follows, in pertinent part:

The Denis et al patent teaches a method for regeneration of the epidermis by application of a cosmetic or pharmaceutical composition that comprises α -D-galactose-6-phosphate(see abstract)...In the abstract, the Denis et al patent teaches the substitution of L-rhamnose with α -D-galactose-6-phosphate. See Example 10 of the Denis et al patent which discloses an anti-wrinkle composition that embraces the amount of phosphosugar that is set forth in instant claim 5. The instant claims differ from the Denis et al patent by describing the method as involving an "exfoliating procedure" which terminology is not used in the Denis et al. patent. However, the term "exfoliating" embraces "regenerating" which is terminology used to describe the utility of the phosphosugar that is set forth in